



OHS NPRM Summary

Background

Improving Head Start is a central part of this Administration's early learning efforts to ensure that all children start school ready to succeed. Since its inception in 1965, Head Start has been a leader in providing high-quality early learning opportunities, serving more than 30 million low income children and their families. But Head Start can and must do more. Findings from monitoring reviews and research, including the Head Start Impact Study, confirm that there is significant variance in quality among Head Start programs and stronger outcomes are achievable.

The Head Start program performance standards are the foundation for Head Start's mission on which Head Start programs design and deliver comprehensive, high quality individualized services to support the school readiness of children from low-income families. The program performance standards set forth the requirements local grantees must meet to support the cognitive, social, emotional, and healthy development of children from birth to age five. They encompass requirements to provide education, health, mental health, nutrition, and family and community engagement services, as well as rules for local program governance and aspects of federal administration of the program.

This NPRM proposes a comprehensive update of the full set of Head Start program performance standards, the first update of its nature since the standards were first established in 1975. The bipartisan *Improving Head Start for School Readiness Act of 2007* called for a review and revision of the program performance standards to ensure that all Head Start programs provide high quality, comprehensive services that lead to strong outcomes for Head Start children. This proposed rule does just that – sets a high bar for Head Start quality. Congress also made clear that “such revisions in the standards [should] not result in the elimination of or any reduction in quality, scope, or types of health, educational, parental involvement, nutritional, social, or other services.” The proposed standards also integrate recommendations from the Secretary's Advisory Committee Final Report on Head Start Research and Evaluation, and reflect this Administration's deep commitment to improving the school readiness of young children.

This rule builds on previous work from this Administration to strengthen Head Start. Beginning with the American Recovery and Reinvestment Act, which invested \$2.1 Billion in Head Start and Early Head Start to reach an additional 61,000 children and families, the President has made quality improvements in the Head Start program a high priority. This was followed by actions in 2013 to require all Head Start grantees that fail to meet a new set of rigorous benchmarks to re-compete for continued federal funding. Most recently, the Department of Health and Human Services issued new eligibility rules that ensure Head Start serves our neediest and most vulnerable children.

The proposed performance standards set higher standards for curriculum, staff development, and program duration, all based on research and effective practice. At the same time, the proposed rule makes program requirements easier for current and future program leaders to understand and reduces administrative burden so that Head Start directors can focus on delivering high quality early learning programs that help put children onto a path of success. This proposed rule seeks to take an important next step in the program's history, by creating a set of performance standards that result in stronger Head Start programs and better outcomes for children and families.

NPRM Goals

This proposed regulation aims to: 1) Ensure higher standards for curriculum, staff development, and program duration, based on research and effective practice, to improve children's outcomes; 2) Improve clarity and transparency to support better program delivery for current grantees and attract new prospective grantees; 3) Reduce administrative burden to allow grantees to focus on high quality service delivery, and 4) Maintain core Head Start principles, including strong comprehensive services, parent and family engagement, serving the neediest children, and respecting diversity.

We believe these regulatory changes will help ensure every child and family in Head Start is receiving high quality comprehensive services that will lead to greater success in school and in life.

Proposed Changes

Program Quality

This NPRM proposes numerous changes to strengthen program standards so that all children and families receive high quality comprehensive services that will have a stronger impact on child learning and outcomes and family well-being. We propose to significantly update and restructure the education and child development requirements to more effectively promote high quality teaching practices and stronger curriculum implementation and assessment use. These changes will better support the skill development and growth needed for children's success in kindergarten and beyond. As recommended by the Advisory Committee and mandated by statute, we propose to integrate the Head Start Child Outcomes Framework with instructional practices, curriculum, assessment, and research-based professional development. We neither propose nor prohibit specific curricula. These proposed changes are consistent with the Secretary's Advisory Committee recommendations and a growing body of research that finds curricular enhancements or curricula intensely focused on key areas of skill development have a greater impact on child outcomes.

In addition, we propose to increase the minimum hours and days of operation for Head Start preschoolers to a full school day and a full school year, unless a program can demonstrate that a shorter program more effectively meets its community's needs. The minimum program day

would increase from 3.5 hours to 6 hours, and the minimum days of operation for preschool would increase from 128 days to 180 days and the total minimum hours that children are exposed to Head Start's high-quality instruction and services would increase from 448 to 1,080 hours. These increased duration requirements are aligned with recommendations from the Secretary's Advisory Committee and the President's FY 2016 Budget request for Head Start. The NPRM also clarifies that programs for infants and toddlers must serve children for at least six hours per day and 230 days per year, consistent with our longstanding interpretation of the Act's requirements for Early Head Start.

Our proposal is consistent with the higher dosage levels in many State pre-kindergarten programs that have shown strong effects, and it is supported by a strong body of research that demonstrates greater exposure to learning opportunities is important for children at-risk for academic difficulties to make necessary gains. Research on the amount of time and type of activities needed to support effective teaching and curriculum practices for children who are behind also demonstrate the inadequacy of a half-day program. Children in Head Start programs operating under the current minimum requirements receive less than half the early learning services that many children receive in pre-kindergarten and would receive at our new proposed minimums. Coupled with the proposed increases to education standards, we believe increasing the dosage minimums is essential to Head Start's effort to prepare children to succeed in school and beyond.

We also propose to maintain Head Start's commitment to comprehensive services as central to helping children succeed. Our proposal retains the required scope of comprehensive services, including health services and family engagement, which are a hallmark of Head Start. We propose requirements to update the prioritization criteria for selection and recruitment of Head Start eligible children, improve attendance, prohibit suspension and expulsion for challenging behaviors, and ensure critical supports for children and families experiencing homelessness and children in foster care. We propose to update services to children with disabilities and their families to ensure they receive the individualized services they need to be successful within inclusive settings. We propose all staff receive individualized professional development, including targeted intensive mentor-coaching, to ensure high quality comprehensive service delivery. We propose to retain core health services and streamline requirements to make them easier to implement and strengthen mental health services to support teachers and promote effective classroom management. We also maintain our commitment to strong standards for health and safety by requiring programs to implement a system of policies and procedures to ensure children are kept safe at all times. In addition, we retain family and community engagement as the foundations they have always been in Head Start, but propose to improve family services by integrating research-based practices, placing a stronger focus on services to improve parenting skills that support child learning, and providing greater local flexibility to help meet family needs.

We also propose to require programs to collect, aggregate, and analyze data to achieve program performance goals, ensure continuous oversight, and consistently work to improve

quality, a key recommendation offered by the Secretary's Advisory Committee. Finally, we propose to address both Head Start and Early Head Start simultaneously throughout this NPRM, which represents a significant improvement over the existing rule. The current rule addresses Early Head Start in a more piecemeal fashion, often making interpretation of the regulations unnecessarily complex.

Local Flexibility

We also propose to include several provisions to support additional local flexibility to meet community needs and to promote innovation and research. We propose to give Head Start programs additional flexibility in the structural requirements of program models, such as class size and service duration, if they can demonstrate a locally-designed model is better for their community and the children they serve. Programs must still deliver comprehensive services and meet all other program performance standards. Further, in order to support continued research and innovation to develop effective curriculum and professional development models, we propose to permit local variations, giving flexibility from some of these requirements if the Head Start program works with research experts and evaluates the effectiveness of their model. Finally, we provide additional flexibility and autonomy for grantees to ensure the quality of delegate grantees. Collectively, these proposed changes will allow for the development of innovative program models, alleviate paperwork burdens, and improve overall program quality.

Clarity and Transparency

This NPRM additionally proposes to entirely reorganize the body of existing regulations in order to improve clarity and transparency to make it easier for programs to implement and for the public to understand the broad range of program services in Head Start. We propose four distinct sections: 1) Program Governance, which outlines the requirements in the Act on Governing Bodies and Policy Councils maintains the critical role of parents while ensuring strong accountability in governance; 2) Program Operations, which outlines all of the operational requirements for serving children and families, from the universe of eligible children and the services they must be provided in education, health, and family and community engagement, to the way programs must use data to improve the services they provide; and 3) Financial and Administrative Requirements, which lay out the federal requirements that Head Start programs must adhere to because of overarching federal requirements or specific provisions in the Head Start Act; and 4) Federal Administrative Procedures, which govern the procedures the responsible HHS official takes when determining the results of competition for all grantees, determining any actions against a grantee, and determining whether a grantee needs to compete for renewed funding and other procedures required for transparency in the Act.

Within this large reorganization we also propose to reorder specific sections and streamline provisions to make Head Start requirements easier to understand for all interested parties – grantees, potential grantees, other early education programs, and members of the general public. Subparts and their sections were reorganized to eliminate redundancy, and

related requirements were grouped together instead of interspersed as they are in the existing rule. Additionally, we propose to systematically address the fact that many of our most critical provisions are buried in subparts of the existing regulation in a way that makes them difficult to find and interpret, and that does not reflect their centrality to the provision of high quality services. For example, the reorganization proposes to create new sections or subparts to highlight and expand, where necessary, upon these important requirements. These include the proposed subparts on education services, transition services, and services for enrolled pregnant women.

In addition, we propose revisions throughout the NPRM to streamline requirements and minimize administrative burden on local programs. In total, we significantly reduce the number of requirements while raising the bar on quality. We propose to move away from requiring written plans and prescribing how specific requirements should be achieved in order to give greater flexibility to programs in determining the best way to achieve their goals, without reducing expectations.

Conclusion

We believe the benefits of these proposed changes will be significant for the children and families Head Start serves. Strengthening Head Start standards will improve child outcomes and promote greater success in school as well as produce higher returns on taxpayer investment. Reorganizing, streamlining, and reducing the regulations will facilitate higher quality among current Head Start grantees and make the regulations more understandable for prospective grantees. These changes are central to the Administration's belief that every child deserves an opportunity to succeed and that helping children enter kindergarten school-ready is a key component ensuring that all children graduate from high school college- and career-ready.